DTG1-122US

Appln. No.: 10/510,084

Amendment Dated December 22, 2008 Reply to Office Action of August 20, 2008

Remarks/Arguments:

Claims 1-27 are pending in the application. Claims 20-27 are withdrawn.

Claims 1-19 are rejected under 35 USC § 112, 2nd paragraph as indefinite due to use of the phrase "wherein R is selected from methyl and up to about 40% of a group selected from the group consisting of...". Applicants amend claim 1 herewith to recite "wherein R is selected from methyl and up to about 40% of the R groups are a group selected from the group consisting of...". Support for the amendment can be found in the application on page 6 at lines 23-26. No new matter has been added.

Claims 1-19 are provisionally rejected on the ground of nonstatutory obviousnesstype double patenting over claims 1-39 of copending Appln. No. 11/886,254. Since that application has not yet been examined, Applicants submit that it would be premature to provide comments regarding this provisional rejection.

Applicants submit that the application is in condition for allowance, and invite the examiner to contact their undersigned representative, Frank Tise, if this would appear to facilitate examination.

Respectfully submitted,

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RAD/FPT/ivr

Dated: December 22, 2008

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The Director is hereby authorized to charge or credit Deposit Account No. 18-0350 for any additional fees, or any underpayment or credit for overpayment in connection herewith.